

Before the
Federal Communications Commission
Washington, D.C.20554

In the Matter of)	WC Docket No. 10-90
)	
Connect America Fund)	GN Docket No. 05-337
)	
High-Cost Universal Service Support)	

**COMMENTS OF THE NEBRASKA RURAL INDEPENDENT COMPANIES
IN RESPONSE TO PUBLIC NOTICE DA 12-868, RELATING TO
DATA SPECIFICATIONS FOR COLLECTING STUDY AREA BOUNDARIES**

Dated: July 2, 2012

The Nebraska Rural Independent Companies

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The Nebraska Rural Independent Companies (“NRIC”),¹ which provide telecommunications and broadband access services to some of the most-rural, sparsely-populated parts of America, appreciate the opportunity to submit these Comments in response to the June 1, 2012 Notice from the Wireline Competition Bureau regarding data specifications for collecting study area boundaries (the “Notice”).

Generally, the Notice addresses the Commission’s desire for better study area boundary data. Exchange boundary information is used in a variety of ways at the Commission, including in calculating and applying the new regression-based caps that apply to rural incumbent local exchange carriers. The Notice also proposes technical standards for reporting, procedures for the Commission to improve submitted data, and it offers state commissions opportunities for collaboration.

I. THE TECHNICAL SPECIFICATIONS IN THE NOTICE ARE ADEQUATE.

As announced in a previous Order, the Notice proposes to collect study area and exchange boundaries from all incumbent LECs. The Notice proposes to use ESRI “shapefile” formats for these filings,² and it describes the shapefile contents in detail.³ The Notice then

¹ The Companies submitting these Comments are: Arlington Telephone Company, The Blair Telephone Company, Cambridge Telephone Company, Clarks Telecommunications Co., Consolidated Telephone Company, Consolidated Telco, Inc., Consolidated Telecom, Inc., The Curtis Telephone Company, Eastern Nebraska Telephone Company, Great Plains Communications, Inc., Hamilton Telephone Company, Hartington Telecommunications Co., Inc., Hershey Cooperative Telephone Co., K. & M. Telephone Company, Inc., The Nebraska Central Telephone Company, Northeast Nebraska Telephone Company, Rock County Telephone Company, Stanton Telecom Inc., and Three River Telco.

² Notice ¶ 6.

³ *Id.*, Appendix A.

proposes that the Bureau will identify any gaps and voids in the numerous filings, and adopt a process to resolve overlap issues.⁴

NRIC believes that prescribing ESRI shapefiles is reasonable. These files have become standard in the last two decades, and represent a commonly-used method for describing geographic data. NRIC has asked the GIS firm that we have historically used⁵ to perform a technical review of the standards in the proposed data “Specifications” in Appendix A. The GIS consultant has concluded that these standards are technically sound.

The Notice estimated that most providers of incumbent local exchange service are small businesses that may be affected by rules adopted pursuant to the Notice.⁶ The Notice does not contain a cost estimate for typical small business providers, but does seek comment on this point.⁷ However, providing shapefile information to the Commission could be costly for rural carriers, which would have to obtain outside assistance in order to create ESRI shapefiles.

II. RELIANCE ON STATE COMMISSIONS IS APPROPRIATE AND USEFUL.

The Notice also seeks comment on a voluntary process for state commissions to resolve overlap claims or assist in submitting boundaries for all carriers in a state. NRIC strongly supports this approach by the Bureau. There are several reasons why having state commissions

⁴ *Id.*, ¶ 7.

⁵ NRIC has used Stone Environmental Inc. of Montpelier, Vermont.

⁶ Notice, Initial Regulatory Flexibility Analysis, ¶ 8.

⁷ *Id.*, ¶ 9.

file exchange boundary data would be most appropriate, so long as the state is willing to provide this service.

First, state commissions are the original and official source of exchange boundary data. If any government body's opinion about these boundaries is relevant to universal service, it should be the opinion of state commissions. Carriers themselves often are familiar with these boundaries, but carriers can only report to the Commission those exchange and service area boundaries that were originally established by state commissions. Even in the slightly different context of designated service areas for providing universal service under the 1996 Act, state commissions remain in most cases the original authority on the boundaries of service areas.⁸

Second, for the same reason, state commissions are the best forum to resolve gaps, voids and overlaps. These problems could become common in unpopulated and mountainous areas, and the Commission's Notice properly recognizes that state commissions should be consulted in resolving any such conflicts.⁹ If state commissions initially provide the shapefiles, however, that would minimize the risk of such gaps, voids and overlaps in the Commission's data.

Third, as the Notice recognizes, it is efficient to have only one body per state providing shapefiles to the Commission.¹⁰ While some ILECs may be familiar with shapefiles, most are not. In any state where the state commission is willing to serve, the carriers can avoid significant

⁸ See, 47 U.S.C. §§ 214(e)(2) (state commission acting on ETC application must designate service area), 214(e)(3) (state commission to designate common carrier as ETC in unserved area and to designate service area); 214(e)(5) (service area to be defined by state commission).

⁹ Notice ¶ 7.

¹⁰ *Id.*, ¶ 8.

expenditures of time and financial cost that would otherwise be generated by this new Commission reporting requirement.

Finally, where state commissions prepare the exchange boundary data, there will likely be synergies that can benefit universal service. Over 20 states have high-cost funds, many of which rely on geographic data to calculate benefits. For example, Nebraska's High-Cost State Fund depends heavily on density, which in turn relies on accurately defining study areas. Improving exchange boundary accuracy can therefore improve support calculation accuracy. Having boundary data in standard GIS formats can also create new opportunities to improve accuracy by comparing other GIS layers, such as rivers, roads, and political boundaries, competitive areas, and 911 locations.

None of the foregoing discussion assumes that state commissions can or should be required to provide data to the Commission. States retain their authority to decline any such request. Nevertheless, NRIC believes that the advantages of having state commissions directly involved in submitting exchange data are overwhelming. Therefore, the Commission should relieve incumbent ETCs from the requirement to provide exchange boundary data in any state where a state commission has voluntarily accepted that responsibility and so indicated by letter to the Commission.

Dated: July 2, 2012.

Respectfully submitted,

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